

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHAEL DAVID MCCARREN,

Plaintiff,

Case No. 2:23-cv-13129

v.

Hon. Brandy R. McMillion
Mag. Judge David R. Grand

RAPHAEL WASHINGTON, *et al.*,

Defendants.

/

**ORDER ADOPTING RECOMMENDED DISPOSITION OF REPORT
AND RECOMMENDATION (ECF NO. 47) AND DENYING PLAINTIFF'S
EMERGENCY EX PARTE MOTION TO ORDER WAYNE COUNTY JAIL
DEFENDANTS TO MODIFY JAIL POLICY (ECF NO. 45)**

Plaintiff Michael David McCarren ("McCarren"), a pretrial detainee in the Wayne County Jail, brought this *pro se* prisoner civil rights action against Defendants Raphael Washington, Robert Dunlap, Anthony Boyer, Pamela Donoho-Rose, Karmen Ramirez, Kenneth Toth, Tonia Williams, Cierra Crawford, and Pryor (collectively, "Defendants"), under 42 U.S.C. § 1983, challenging his conditions of confinement. *See generally* ECF No. 1.

This matter was originally assigned to the Honorable George Caram Steeh but was reassigned to the undersigned on April 2, 2024. On April 4, 2024, this Court referred all pretrial matters to Magistrate Judge Anthony P. Patti. ECF No. 15. On June 26, 2025, Plaintiff filed an emergency *ex parte* motion to order Wayne County

Jail Defendants (Sheriff Rapheal Washington, Undersheriff Mike Jaafar¹, and Chief Robert Dunlap) to modify its jail policy for “meaningful access” to the courts. ECF No. 45. Magistrate Judge Patti properly interpreted this as a motion for injunctive relief and, on July 1, 2025, issued a Report and Recommendation (“R&R”) suggesting that the Court deny this motion to the extent it seeks injunctive relief. *See* ECF No. 47, PageID.558. At the end of the R&R, the Magistrate Judge advised the parties that to seek review of his recommendation, they had to file specific objections with the Court within 14 days of service of the R&R. *Id.* at PageID.559-560 n.3.

As of the date of this order, July 29, 2025—28 days since the Magistrate Judge issued the R&R—no party has filed objections to the R&R or contacted the Court to ask for more time to file objections. The failure to object to an R&R releases the Court from its duty to independently review the matter. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *see also Ivey v. Wilson*, 832 F.2d 950, 957-58 (6th Cir. 1987) (explaining that a party’s failure to timely object to a report and recommendation allows a court to accept the recommendation “without expressing any views on the merits of the magistrate’s conclusions”). Similarly, failure to object to an R&R forfeits any further right to appeal. *See Berkshire v. Dahl*, 928 F.3d 520, 530 (6th

¹ The Court notes that Undersheriff Mike Jaafar is not a party to this litigation.

Cir. 2019) (recognizing that a party forfeits their right to appeal by failing to timely file objections to an R&R).

Accordingly, because no objections to the R&R have been filed, **IT IS HEREBY ORDERED** that the Magistrate Judge's recommended disposition of Plaintiff's motion is **ADOPTED**.

IT IS FURTHER ORDERED that "Plaintiff McCarren's Emergency Ex-Parte Motion to Order the Wayne County Defendants Raphael Washington ('Sheriff'), Mike Jaafar ('Undersheriff'), Robert Dunlap ('Chief of Jail and Courts') to Modify its Jail Policy for 'Meaningful Access' to the Courts So This Fair Court Can Freely Give Leave as Justice So Requires" (ECF No. 45) is **DENIED**.

IT IS SO ORDERED.

Dated: July 29, 2025

s/Brandy R. McMillion

Hon. Brandy R. McMillion
United States District Judge